

Commonwealth of Massachusetts
HAMPDEN SUPERIOR COURT
Case Summary
Civil Docket

HDCV2005-00025
Rosario v Barrett

05 CV 30019-MAP

File Date	01/07/2005	Status	Disposed: transfered to other court (dtrans)
Status Date	02/01/2005	Session	B - Civil B - CtRm 5
Origin	1	Case Type	B03 - MV negligence/pers injury/prop dmg
Lead Case		Track	F

Service	04/07/2005	Answer	06/06/2005	Rule12/19/20	06/06/2005
Rule 15	06/06/2005	Discovery	11/03/2005	Rule 56	12/03/2005
Final PTC	01/02/2006	Disposition	03/03/2006	Jury Trial	Yes

PARTIES

Plaintiff

Ramona Rosario
Active 01/07/2005

Private Counsel 548570

Barry E O'Connor
Law Offices of Barry E O'Connor
293 Bridge Street Suite 326
Springfield, MA 01103
Phone: 413-746-0060
Fax: 413-746-0059
Active 01/07/2005 Notify

Defendant

Lisa Barrett
Service pending 01/07/2005

Private Counsel 552113

Paul G Pino
Pino Law Offices of (Paul G)
1350 jDivision Road
Suite 104
West Warwick, RI 02893
Phone: 401-827-1250
Fax:
Active 02/02/2005 Notify

ENTRIES

Date	Paper	Text
01/07/2005	1.0	Complaint & civil action cover sheet filed
01/07/2005		Origin 1, Type B03, Track F.
02/01/2005	2.0	Deft's. notice of removal to U.S. District Court.

EVENTS

A TRUE COPY
OF THE DOCKET MINUTES:
IN WITNESS WHEREOF, I hereunto
set my hand, and have caused the seal
of the Superior Court for the County
of Hampden to be affixed on this
7th day of February, 2005.

Donna M. Ruhl
DEPUTY ASSISTANT Clerk

CIVIL ACTION COVER SHEET

Trial Court of Massachusetts
SUPERIOR COURT DEPARTMENT
County: Hampden

Docket Number

05: 25

PLAINTIFF(S) Ramona Rosario

DEFENDANT(S)

Lisa Bar
**HAMPDEN COUNTY
SUPERIOR COURT
FILED**ATTORNEY, FIRM NAME, ADDRESS AND TELEPHONE
Barry O'Connor, 293 Bridge St. Suite 326

ATTORNEY (if known)

Board of Bar Overseers number: 548570 Springfield, MA 01103

JAN - 7 2005

Place an x in one box only:

Origin code and track designation

- | | |
|--|---|
| <input checked="" type="checkbox"/> 1. F01 Original Complaint | <input type="checkbox"/> 4. F04 District Court Appeal c. 231, s. 97 & 104 (After trial) (X) |
| <input type="checkbox"/> 2. F02 Removal to Sup.Ct. c. 231, s. 104 (Before trial) | <input type="checkbox"/> 5. F05 Reactivated after rescript; relief from judgment/ Order (Mass. R. Civ. P. 60) (X) |
| <input type="checkbox"/> 3. F03 Retransfer to Sup.Ct. C. 231, s. 102C (X) | <input type="checkbox"/> 6. E10 Summary Process Appeal (X) |

CODE NO.	TYPE OF ACTION (specify)	TRACK	IS THIS A JURY CASE?
BO3	Motor Vehicle Negligence	F	(x) Yes () No

The following is a full, itemized and detailed statement of the facts on which plaintiff relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.

TORT CLAIMS

(Attach additional sheets as necessary)

A. Documented medical expenses to date:

- | | |
|--|--------------------|
| 1. Total hospital expenses | \$25,711.23 |
| 2. Total Doctor expenses | \$1,081.00 |
| 3. Total chiropractic expenses | \$2,901.00 |
| 4. Total physical therapy expenses | \$21,199.00 |
| 5. Total other expenses (describe) Ambulance | \$437.00 |
| Subtotal | \$91,209.23 |

B. Documented lost wages and compensation to date

\$77,616.1

C. Documented property damages to date

\$

D. Reasonably anticipated future medical and hospital expenses

\$

E. Reasonably anticipated lost wages

\$

F. Other documented items of damages (describe)

\$

G. Brief description of plaintiff's injury, including nature and extent of injury (describe)

\$

Plaintiff was injured in an automobile accident with defendant.

She suffered extensive injuries to her legs and left knee. She

was unable to walk for a period of time and has remained unable

to work.

TOTAL: \$86,775.33

CONTRACT CLAIMS

(Attach additional sheets as necessary)

Provide a detailed description of claim(s):

TOTAL \$

PLEASE IDENTIFY, BY CASE NUMBER, NAME AND COUNTY, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT

"I hereby certify that I have complied with the requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods."

Signature of Attorney of Record

A true copy.

DATE: 1/6/05

A O S C. 2003

Attest:

Donna M. Riebel
DEPUTY Assistant Clerk

CIVIL ACTION COVER SHEET INSTRUCTIONS
SELECT CATEGORY THAT BEST DESCRIBES YOUR CASE

CONTRACT			REAL PROPERTY			MISCELLANEOUS		
A01	Services, labor and materials	(F)	C01	Land Taking (eminent domain)	(F)	E02	Appeal from Administrative Agency G L c 30A	(X)
A02	Goods sold and delivered	(F)	C02	Zoning Appeal, G.L.c.40A	(F)	E03	Action against Commonwealth / Municipality, G L c.258	(A)
A03	Commercial Paper	(F)	C03	Dispute concerning title	(F)	E05	All Arbitration	(X)
A08	Sale or lease of real estate	(F)	C04	Foreclosure of Mortgage	(X)	E07	G.L. c.112,s.12S (Mary Moe)	(X)
A12	Construction Dispute	(A)	C05	Condominium lien & charges	(X)	E08	Appointment of Receiver	(X)
A99	Other (Specify)	(F)	C99	Other (Specify)	(X)	E09	General Contractor bond, G L c149,s.29,29a	(A)
TORT			EQUITABLE REMEDIES			E11	Workers' Compensation	(X)
B03	Motor Vehicle Negligence-	(F)	D01	Specific performance of contract	(A)	E12	G.L.c. 123A, s. 12 (SDP Commitment)	(X)
	Personal injury/Property Damage		D02	Reach and Apply	(F)	E14	G.L. c. 123A, s. 9 (SDP Petition)	(X)
B04	Other negligence-	(F)	D06	Contribution or Indemnification	(F)	E15	Abuse Petition, G L c.209A	(X)
	personal injury/property damage		D07	Imposition of Trust	(A)	E16	Auto Surcharge Appeal	(X)
B05	Products Liability	(A)	D08	Minority Stockholder's Suit	(A)	E17	Civil Rights Act, G.L.c.12,s.11H	(A)
B06	Malpractice-Medical	(A)	D10	Accounting	(A)	E18	Foreign Discovery Proceeding	(X)
B07	Malpractice-Other (Specify)	(A)	D12	Dissolution of Partnership	(F)	E19	Sex Offender Registry G.L.c. 178M,s.6	(X)
B08	Wrongful death, G.L.c.229,s.2A	(A)	D13	Declaratory Judgment G.L.c. 231A	(A)	E25	Pleural Registry (Asbestos cases)	
B15	Defamation (Libel-Slander)	(A)	D99	Other (Specify)	(F)	E95	Forfeiture G.L.c. 94C,s.47	(F)
B19	Asbestos	(A)				E96	Prisoner Cases	(F)
B20	Personal Injury-Slip&Fall	(F)				E97	Prisoner Habeas Corpus	(X)
B21	Environmental	(F)				E99	Other (Specify)	(X)
B22	Employment Discrimination	(F)						
B99	Other (Specify)	(F)						

TRANSFER YOUR SELECTION TO THE FACE SHEET.

EXAMPLE:

CODE NO.	TYPE OF ACTION (SPECIFY)	TRACK	IS THIS A JURY CASE?
B03	Motor Vehicle Negligence-Personal Injury	(F)	[x] Yes [] No

SUPERIOR COURT RULE 29

DUTY OF THE PLAINTIFF. The plaintiff or his/her counsel shall set forth, on the face sheet (or attach additional sheets as necessary), a statement specifying in full and itemized detail the facts upon which the plaintiff then relies as constituting money damages. A copy of such civil action cover sheet, including the statement as to the damages, shall be served on the defendant together with the complaint. If a statement of money damages, where appropriate is not filed, the Clerk-Magistrate shall transfer the action as provided in Rule 29(5)(C).

DUTY OF THE DEFENDANT. Should the defendant believe the statement of damages filed by the plaintiff in any respect inadequate, he or his counsel may file with the answer a statement specifying in reasonable detail the potential damages which may result should the plaintiff prevail. Such statement, if any, shall be served with the answer.

A CIVIL ACTION COVER SHEET MUST BE FILED WITH EACH COMPLAINT.

**FAILURE TO COMPLETE THIS COVER SHEET THOROUGHLY AND ACCURATELY
MAY RESULT IN DISMISSAL OF THIS ACTION.**

A true copy.

Attest:

Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss

SUPERIOR COURT DEPARTMENT
SPRINGFIELD DIVISION

CIVIL ACTION NO:

05. 25

RAMONA ROSARIO
Plaintiff

v.

LISA BARRETT
Defendant

COMPLAINT

HAMPDEN COUNTY
SUPERIOR COURT
FILED

JAN - 7 2005

Marie S. Magg
CLERK-MAGISTRATE

PARTIES

1. The plaintiff, Ramona Rosario, is an individual who at all relevant time resided in Springfield, Hampden County, Commonwealth of Massachusetts.
2. The defendant, Lisa Barrett, is an individual who at all relevant resided in the city of Albany, New York.

VENUE

3. Venue is proper under G.L. 223 § 1 as this honorable court sits in the county where plaintiff resides and where the accident that is the basis for this action occurred G.L. c. 223 § 7. The plaintiff also submits a civil action cover sheet stating that her damages exceed \$25,000. Super.Ct.R. 29(5).

COUNT I

(Negligence)

4. On or about February 1, 2002, the plaintiff, Ramona Rosario, was operating a motor vehicle traveling west on Alden Street in Springfield, Hampden County, Commonwealth of Massachusetts.
5. At the same time and place, the defendant, Lisa Barrett, was operating a motor vehicle on Naismith Circle in Springfield, Hampden County, Commonwealth of Massachusetts.

No. of Plffs. 1
Fee Paid - \$ 240 Cash - Check X
Surcharge Paid - \$ 15 Cash - Check X
Security Fee - Paid - \$ 20 Cash - Check X
Received by at

6. The defendant, Lisa Barrett, in the course of operating her vehicle came to a stop sign at the intersection of Alden Street and Naismith Circle.
7. The defendant, Lisa Barrett, failing to yield the right of way to the vehicle driven by the plaintiff, Ramona Rosario, negligently operated her vehicle as to cause a collision between the plaintiff's vehicle and the defendant's vehicle.
8. The defendant, Lisa Barrett, was issued a Massachusetts Uniform Citation for failing to yield the right of way.
9. As a result of the negligence of the defendant, Lisa Barrett, the plaintiff, Ramona Rosario, sustained severe physical injury, injury of the mind, incurred expenses for medical care and attendance and experienced a complete loss of earning capacity because of the accident.

WHEREFORE, the plaintiff, Ramona Rosario demands judgment against the defendant, Lisa Barrett, on Count I, plus interest and costs of this action.

THE PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL COUNTS.

PLAINTIFF,
By her attorney,



Dated: January 6, 2005

Barry E O'Connor, Esq
293 Bridge Street, Suite 326
Springfield, MA 01103
(413) 746-0060
BBO# 548570

A true copy.

Attest:


DEPUTY Assistant Clerk